

UAE Acquisition of U.S. Port Terminal Facility Operations – update

DPW Purchase of P&O

- The sale of P&O will have no adverse impact on the security of U. S. ports. The U. S. Coast Guard will remain in charge of port security.
- The Coast Guard recognizes we live in a global economy and that foreign-owned corporations own and operate businesses within the United States. Laws and international conventions currently in place -- such as the International Ship and Port Facility Security Code and the

Maritime Transportation Security Act -- regulate the security measures with which vessel and facility operators must comply. The Coast Guard strictly enforces these federal laws and international conventions to ensure compliance and protect the security of our vital ports and waterways.

- The Coast Guard and other members of the Intelligence Community provide appropriate support not only for the recurring port-specific security assessments, but also for the inter-departmental CFIUS evaluation process; further comment relating to this intelligence support would be inappropriate.

Coast Guard Port Security Role

- As the lead federal agency for maritime security, the Coast Guard routinely inspects and assesses the security of 3,200 regulated facilities in more than 360 U.S. ports at least annually in accordance with the Maritime Transportation and Security Act (MTSA) and the Ports and Waterways Security Act (PWSA).
- Every regulated U.S. port facility, regardless of owner/operator, is required to establish and implement a comprehensive Facility Security Plan (FSP) that outlines procedures for controlling access to the facility, verifying credentials of port workers, inspecting cargo for tampering, designating security responsibilities, training, and reporting of all breaches of security or suspicious activity, among other security measures. Working closely with local port authorities and law enforcement agencies, the Coast Guard regularly reviews, approves, assesses and inspects these plans and facilities to ensure compliance.
- In addition to the Coast Guard's broad authorities for ensuring the security of U.S. port facilities and operations, the Coast Guard works closely with U.S. Customs and Border Protection (CBP) to ensure foreign port facilities and ships comply with the International Ship and Port Facility Security (ISPS) Code in an effort to push out our borders and create a layered maritime security posture.
- Given the scale of this pending acquisition, the Coast Guard is ordering its Captains of the Port to re-visit and re-examine all existing P&O port facilities and operations to ensure DHS has the most up-to-date information, which includes an audit of the facility security plan. The Coast Guard will conduct a full on-site MTSA compliance exam at each port facility where P&O maintains a substantial interest, including stevedore services.

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